

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

UNITED STATES OF AMERICA	)	
	)	
vs.	)	5:20-CR-209-LCB-HNJ
	)	
TAMARA MOORE	)	

**TAMARA MOORE’S OBJECTIONS TO THE PRESENTENCE REPORT**

Tamara Moore files the following objections to the presentence report (PSR):

1. **Paragraphs 25, 30, 34, 64** – Ms. Moore should not receive a four-point enhancement for *knowingly* marketing a substance containing fentanyl as another substance. Although the substance at issue contained fentanyl, Ms. Moore was not aware and believed that it was in fact heroin. Her interviews with law enforcement—which are included in the discovery—support this belief. On the other hand, her co-defendant—Anthony Clark—did in fact know that the substance contained fentanyl and admitted this fact to law enforcement. Notwithstanding, Mr. Clark never disclosed that information to Ms. Moore. As such, Ms. Moore lacks the requisite knowledge necessary for this enhancement.

Her adjusted offense level should be 20 and her total offense level should be 17.

2. **Paragraphs 40, 41, 64** – Ms. Moore was not under supervision at the time of the offense. Although the indictment charges that the conspiracy occurred “in or about May 2019, and continuing thereafter until on or about May 18, 2020,”

(Doc. 1) the underlying facts—which are supported by a law enforcement interview—confirm that Ms. Moore did not enter the conspiracy until 2020 (a few weeks before May 18, 2020). Her probation term in Madison County Circuit Court case number CC-2016-3573 was completed on May 15, 2019 (*See* PSR 37). Given this, her total criminal history score should be one, which establishes a criminal history category of I.

3. **Paragraph 64** – Based on a total offense level of 17 and a criminal history category of I, the guideline imprisonment range should be 24 to 30 months.

KEVIN L. BUTLER  
Federal Public Defender

/s/ Latasha McCrary  
Latasha McCrary  
Assistant Federal Public Defender  
Northern District of Alabama  
200 Clinton Avenue West  
Suite 503  
Huntsville, AL 35801  
(256) 684-8700  
[latasha\\_mccrary@fd.org](mailto:latasha_mccrary@fd.org)

#### **CERTIFICATE OF SERVICE**

I hereby certify that on August 26, 2021, I filed the foregoing with the Clerk of the Court and a copy was provided to counsel of record in this case.

Respectfully submitted,

/s/ Latasha McCrary  
Latasha McCrary